

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b),)
FM Table of Allotments,) MM Docket No. 01-230
FM Broadcast Stations.) RM-10258
(Deckerville, Michigan))

REPORT AND ORDER
(Proceeding Terminated)

Adopted: November 2, 2005

Released: November 4, 2005

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it the "Motion to Dismiss Petition," submitted on behalf of Charles Crawford ("Crawford") in this proceeding. Previously, Crawford had filed a petition for rulemaking seeking the allotment of Channel 297A at Deckerville, Michigan, and we issued a notice proposing that rule change.¹ Crawford filed supporting comments, Sanilac Broadcasting Company filed comments seeking dismissal of the petition for rule making, and Edward Czelada ("Czelada") submitted a counterproposal.² Subsequently, Crawford filed his motion seeking dismissal of his petition. Crawford states that no consideration has been paid or promised, directly or indirectly, for such withdrawal.³

3. It is the Commission's policy to refrain from making an allotment to a community absent an adequate expression of interest. By filing his "Motion to Dismiss Petition," Crawford has demonstrated that he has no continuing interest in the requested allotment, and no other party has expressed an interest in the allotment of Channel 297A at Deckerville, Michigan.

4. Accordingly, IT IS ORDERED, That the petition for rule making filed by Charles Crawford, proposing the allotment of Channel 297A at Deckerville, Michigan, IS DISMISSED.

¹ See *Hartshorne, Oklahoma, Mooreland, Oklahoma, Reydon, Oklahoma, Junction, Texas, Caseville, Michigan, Deckerville, Michigan, Harbor Beach, Michigan, Port Sanilac, Michigan, Alton, Missouri, and Firth, Nebraska*, 16 FCC Rcd 16,341 (MM 2001).

² Czelada's counterproposal incorporated interrelated dockets (*i.e.*, MM Docket Nos. 01-220, 01-230, 01-231, 01-232, and 01-257). With respect to the instant proceeding, Czelada proposed the allotment of Channel 297C3 at Ubyly, Michigan, rather than the allotment of Channel 297A at Deckerville, as proposed in the *Notice*. Czelada did not, however, state that he would apply for Channel 297C3 at Ubyly. His filing thus does not constitute a valid counterproposal in this proceeding.

³ See 47 C.F.R. § 1.420(j).

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.⁴

6. This document is not subject to the Congressional Review Act. The Commission, is, therefore, not required to submit a copy of this Report and Order to the Government Accountability Office, pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A), because the proposed rule was dismissed.

6. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202) 418-7072.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau

⁴ The termination of this proceeding will have no effect on consideration of the remaining components of the counterproposal in other proceedings. *See Bad Axe, Michigan*, 18 FCC Rcd 2396 (MB 2003) (order terminating MM Docket No. 01-257).